

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

JACOB GAVIN HILES,

Plaintiff,

v.

CABLE NEWS NETWORK, INC.,

Defendant.

Case No. 2:23-cv-351

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332(a)(1), 1441(a), and 1446, Defendant Cable News Network, Inc. (“CNN”), by its undersigned counsel, hereby files this Notice of Removal of the above-captioned action from the Circuit Court for Virginia Beach, Virginia, to the United States District Court for the Eastern District of Virginia. In support thereof CNN avers as follows:

1. On October 14, 2022, Plaintiff Jacob Gavin Hiles filed an action titled *Jacob Gavin Hiles v. Cable News Network, Inc.* in the Circuit Court for Virginia Beach, Virginia, which was docketed as Case No. CL-22-006303-00.
2. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of the Complaint and Summons are attached hereto as Exhibit 1.
3. Hiles served the Complaint and Summons on CNN on June 26, 2023.
4. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b) because it is being filed within 30 days of service of the Complaint on CNN.
5. CNN has not yet answered, moved, or otherwise responded to the Complaint.
6. Other than the Complaint and Summons, no other process, pleadings, or orders have yet been filed in this matter.

7. Hiles is a citizen of Virginia. Complaint (“Compl.”) ¶ 1.

8. CNN is a corporation organized under the laws of Delaware with its principal place of business in Georgia. For diversity jurisdiction purposes, CNN is therefore a citizen of Delaware and Georgia. *Cent. W. Va. Energy Co. v. Mountain State Carbon, LLC*, 636 F.3d 101, 102 (4th Cir. 2011) (“For federal diversity jurisdiction purposes, a corporation is a citizen of the states in which it has been incorporated and in which it has its principal place of business.”).

9. In the Complaint, Hiles seeks \$37,000,000.00 in compensatory damages and \$350,000.00 in punitive damages. Compl. at 11 (prayer for relief).

10. This Court accordingly has original jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a)(1) because there is complete diversity of citizenship among the parties and the amount in controversy exceeds \$75,000.00, exclusive of interests and costs.

11. Pursuant to 28 U.S.C. § 1441(a), the United States District Court for the Eastern District of Virginia, Norfolk Division, is the proper venue for removal jurisdiction because it embraces Virginia Beach, the place where this action is pending.

12. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal is being forwarded to counsel of record for Hiles, as well as to the Clerk of the Circuit Court for Virginia Beach, Virginia. A true and correct copy of the Notice of Filing of Notice of Removal (without exhibits) is attached hereto as Exhibit 2.

13. Undersigned counsel for CNN has read the foregoing and signs this Notice of Removal pursuant to Rule 11 of the Federal Rules of Civil Procedure, as required by 28 U.S.C. § 1446(d).

Dated: July 17, 2023

Respectfully submitted,

BALLARD SPAHR LLP

By: /s/ Jay Ward Brown
Jay Ward Brown (Va. Bar No. 34355)
1909 K Street NW, 12th Floor
Washington, DC 20006
Tel: (202) 508-1136
Fax: (202) 661-2299
brownjay@ballardspahr.com

Counsel for Defendant Cable News Network, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of July 2023, I caused a true and correct copy of the foregoing Notice of Removal and exhibits thereto to be served on the following parties via first-class mail and email:

Alexander H. Bell
Bush & Taylor, P.C.
4445 Corporation Lane, 2nd Floor
Virginia Beach, VA 23462
Tel: (757) 213-6846
Fax: (757) 935-5533
alex@bushtaylor.com

Counsel for Plaintiff Jacob Gavin Hiles

/s/ Jay Ward Brown
Jay Ward Brown, Va. Bar No. 34355
Ballard Spahr LLP
1909 K Street NW, 12th Floor
Washington, DC 20006
Tel: (202) 508-1112
Fax: (202) 661-2299
brownjay@ballardspahr.com

Counsel for Defendant Cable News Network, Inc.